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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/649,994	08/28/2003	Koji Takahashi	011118A	6035
23850	7590 10/05/20	4	EXAMINER	
ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP 1725 K STREET, NW SUITE 1000			KEBEDE, BROOK	
			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20006			2823	
			DATE MAILED: 10/05/200	4

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)				
		10/649,994	TAKAHASHI, K	Oli			
	Office Action Summary	Examiner	Art Unit				
		Brook Kebede	2823				
Period fo	The MAILING DATE of this communication Reply	n appears on the cover s	heet with the correspondence	address			
A SHOTHE I - Exter after - If the - If NO - Failu Any r	ORTENED STATUTORY PERIOD FOR F MAILING DATE OF THIS COMMUNICAT asions of time may be available under the provisions of 37 C SIX (6) MONTHS from the mailing date of this communicati period for reply specified above is less than thirty (30) days period for reply is specified above, the maximum statutory re to reply within the set or extended period for reply will, by eply received by the Office later than three months after the ed patent term adjustment. See 37 CFR 1.704(b).	ION. FR 1.136(a). In no event, however, on. The areply within the statutory minimperiod will apply and will expire SI statute, cause the application to be	er, may a reply be timely filed num of thirty (30) days will be considered ti X (6) MONTHS from the mailing date of thi secome ABANDONED (35 U.S.C. § 133).				
Status							
1) 又	Responsive to communication(s) filed on	28 August 2003.					
	nis action is FINAL . 2b) This action is non-final.						
	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Dispositi	on of Claims						
5) 6) 7)	4) Claim(s) 8-11,14 and 19-21 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 8-11,14 and 19-21 are subject to restriction and/or election requirement.						
Applicati	on Papers						
9)☐ The specification is objected to by the Examiner.							
10)[10) The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.						
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority u	ınder 35 U.S.C. § 119						
a)[Acknowledgment is made of a claim for for All b) Some * c) None of: 1. Certified copies of the priority docu 2. Certified copies of the priority docu 3. Copies of the certified copies of the application from the International Beet the attached detailed Office action for	ments have been receive ments have been receive priority documents have been receive priority documents have all 17.2(a	red. red in Application No re been received in this Nation a)).	nal Stage			
Attachmen	t(s)						
1) D Notic	e of References Cited (PTO-892)		terview Summary (PTO-413)				
3) 🔲 Inforr	e of Draftsperson's Patent Drawing Review (PTO-94 nation Disclosure Statement(s) (PTO-1449 or PTO/5 r No(s)/Mail Date	SB/08) 5) 🔲 N	aper No(s)/Mail Date otice of Informal Patent Application (f ther:	PTO-152)			

DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
- 2. This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I, drawn to the first embodiment, method of manufacturing a semiconductor device (i.e., wherein the method comprises forming of two layers of gate insulating film).

Species II, drawn to the second embodiment, method of manufacturing a semiconductor device (i.e., wherein the method comprises forming of three layers of gate insulating film).

3. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, none generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to

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be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission

may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

4. Applicant is advised that the reply to this requirement to be complete must include an

election of the invention to be examined even though the requirement be traversed (37 CFR

1.143).

Correspondence

5. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Brook Kebede whose telephone number is (571) 272-1862. The

examiner can normally be reached on 8-5 Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Olik Chaudhuri can be reached on (571) 272-1855. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brook Kebede Examiner

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Brox Kekede

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ВK

September 30, 2004